



07-42

SPARTANBURG COUNTY LEGISLATIVE DELEGATION

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Spartanburg, South Carolina 29303
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FILED-2007

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November 13, 2007

Honorable Doug Smith
Chairman
House District 32

Honorable Bob Walker
Vice Chair
House District 38

Carol Crowe
Executive Secretary
ccrowe@spartanburgcounty.org

Senators

Honorable Glenn Reese
Senate District 11

Honorable John Hawkins
Senate District 12

Honorable Jim Ritchie
Senate District 13

Honorable Harvey Peeler
Senate District 14

House of Representatives

Honorable G. Ralph Davenport, Jr.
House District 37

Honorable Lanny Littlejohn
House District 33

Honorable Scott Talley
House District 34

Honorable Joe Mahaffey
House District 36

Honorable Mike Anthony
House District 42

Honorable Harold Mitchell
House District 31

Honorable Keith Kelly
House District 35

Mr. Kevin Martin
Chairman, Federal Communications Commission
445 12th Street, SW
Room 8-8201
Washington, DC 20554

Dear Chairman Martin:

Each week more than 100 million Americans tune into NFL football, making it the most popular sports entertainment programming in the nation. As members of the Spartanburg County delegation, we can assure you that we love our football and especially our Carolina Panthers. We are even more proud of the fact that they hold their training camp at Wofford College here in Spartanburg. Hundreds of Panther fans show up for pre-season training camp in Spartanburg every year.

We believe it would be a travesty for our many fans if they cannot watch the December 22 game between the Carolina Panthers and the Dallas Cowboys that will be aired on the NFL network. Unless Panthers fans live in Charlotte or have satellite TV, they will not see this game because the Big Cable Companies refuse to carry the NFL Network.

Last year, fans missed out on many key games during the critical stretch run for the playoffs. Unless the dispute between NFL Network and the Big Cable Companies is not resolved in the very near future, many fans will once again miss out on some great games beginning Thanksgiving night.

We understand that the cost for the big cable companies to carry the NFL Network is only two cents per day per subscriber. NFL Network in return gives the cable companies 2 minutes per hour, every hour of every day of the year. The cable company gets to sell this ad time and keep ALL the revenue from it.

Mr. Kevin Martin
November 13, 2007
Page 2

During NFL games, NFL Network increase by 50% the amount of advertising time they give the cable companies. They get 3 minutes an hour or what typically equates to 18 30-second spots during an NFL game. Think of the ratings the Carolina Panthers get locally and realize that there is not a program on TV there that does a hiring rating, thus charges more per 30-second spot.

Additionally the cable company gets this ad time, the NFL Network HD feed, plenty of Video on Demand (VOD) content (NFLN has the most popular sports VOD content available) and the NFL Network's standard definition channel in exchange for the monthly fee it receives in return.

That seems like a pretty good deal to us.

We have heard from fans all across our State who want access to the eight NFL games scheduled on the NFL Network this season, as well as, the other popular year-round football programming offered on the NFL Network.

We understand that the FCC has opened a rulemaking proceeding (MB Docket 07-42) to consider program carriage issues such as these – particularly as they relate to independent and diverse channels.

We hear more and more that independent channels face discrimination from big cable companies that own many of the channels they carry. Some independent channels like the Oxygen Network are choosing to sell themselves to large media holding companies rather than to try to continue as stand-alone businesses. It is not a good trend since this increasing concentration will reduce media diversity and consumer choice.

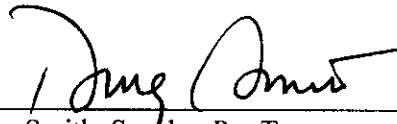
We are writing to urge you and your fellow Commissioners to change your rules to facilitate appointment of arbitrator's in dispute like the one involving the NFL Network. By doing so, these disputes can be resolved more quickly (preferably through negotiation between the parties) and with consumers' interests foremost in mind.

If such a mechanism were in place, it might help persuade the cable companies to negotiate a carriage deal with NFL Network before Carolina football fans are

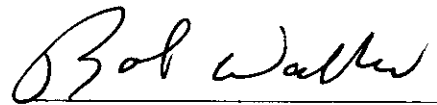
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Page 3

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Thanksgiving night.

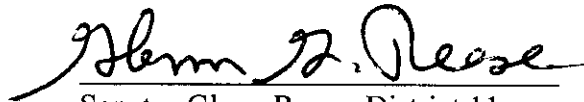
Sincerely,



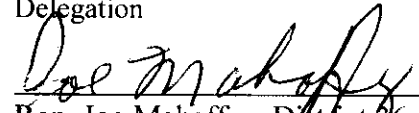
Doug Smith, Speaker Pro Tem
Chair, Spartanburg County Delegation



Rep. Robert "Bob" Walker, District 38
Vice Chair, Spartanburg County
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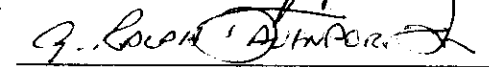


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Rep. Joe Mahaffey, District 36

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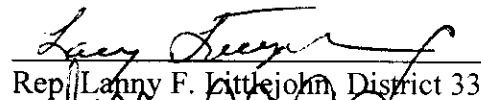


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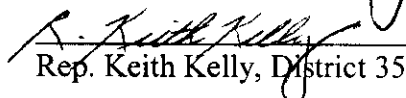
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Page 3

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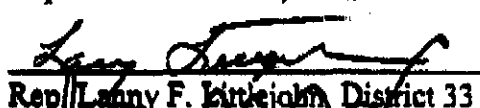
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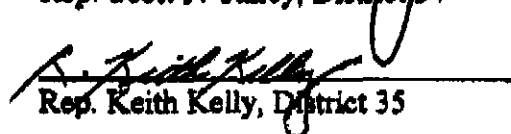
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